Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 017-00247-4016-053	Date: April 27, 2017	Time: 1340 hrs.	
Location: 210 West Temple Street	City or Station: Los Angeles		
Bureau/Station/Facility: Clara Shortridge Foltz Criminal Justice Center	Admin. Investigation: ○ YES ◉ NO		
Type of Force: Pers Wpns/OC Spray/Taser/Resisted Handcuffing/Control Holds/ Hobble/Pers Wpns Other			
Incident Category: ○ 1 ○ 2 ◉ 3	Deputy Injury: ◉ YES ○ NO	Suspect Injury ◉ YES ○ NO	
☐ Call ☐ Observation ☒ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit		
IAB Notified: ◉ YES ○ NO	Person Notified: Lt. Roberta Granek	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Bernard	Frank	A.	DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	W	5-11	180	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Clara Shortridge Foltz C.J.C.
Work Assignment (Unit #, Module, etc.): Bailiff
Individual Force Used: Cont Holds/ Pers Wpns/ Pers Wpns other/Res Handcuffing — ○ Directed ○ Rescue ○ Medical Assist
Individual Category: ◉ 1 ○ 2 ○ 3
☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

E2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Cabrera	Miguel		DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	H	5-08	230	[redacted]	○ EM ◉ Day ○ PM	○ Regular Shift ◉ OT Shift ○ Off Duty

Unit of Assignment: Pico Rivera Station
Work Assignment (Unit #, Module, etc.): Patrol
Individual Force Used: Control Holds/ Personal Weapons/ Pers Wpns other — ○ Directed ○ Rescue ○ Medical Assist
Individual Category: ○ 1 ◉ 2 ○ 3
☒ Injured ☒ Treated ☐ Admitted Facility: LA County USC Medical Center
Coroner Case #

E3

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Phares	Richard	T.	DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	W	6-02	205	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Clara Shortridge Foltz C.J.C.
Work Assignment (Unit #, Module, etc.): Bailiff
Individual Force Used: Control Holds/ Takedown — ○ Directed ○ Rescue ○ Medical Assist
Individual Category: ◉ 1 ○ 2 ○ 3
☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

On Duty Supervisor

☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Barragan	Fabiola		SGT.	YES ◉ NO ○	YES ◉ NO ○

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	SGT.	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Granek	Roberta		LT.

Watch Commander / Supervising Lieutenant's **Signature:** Date Copy Provided to Employee by: Emp #:

Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO#

☒ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

0 1 7 - 0 0 2 4 7 - 4 0 1 6 - 0 5 3

Involved Employee

E 4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
(•) M ( ) F	H	5-11	275	[redacted]	( ) EM ( ) Day (•) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	PM Shift Lock- Up

Individual Force Used		Individual Category
OC Spray	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E 5

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Preston	Christopher	S.	DSG

Sex	Race	Height	Weight	Age	Shift	
(•) M ( ) F	W	5-06	200	[redacted]	( ) EM ( ) Day (•) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	PM Shift Lock- Up

Individual Force Used		Individual Category
Take Down/ Control Holds/ Hobble	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E 6

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
(•) M ( ) F	H	5-04	190	[redacted]	( ) EM (•) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	Bailiff

Individual Force Used		Individual Category
OC Spray	( ) Directed ( ) Rescue ( ) Medical Assist	(•) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E 7

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Rodriguez	Bryan	J.	DSG

Sex	Race	Height	Weight	Age	Shift	
(•) M ( ) F	H	5-09	160	[redacted]	( ) EM (•) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	Bailiff

Individual Force Used		Individual Category
Control Holds	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E 8

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Kataoka	Allison	S.	DSG

Sex	Race	Height	Weight	Age	Shift	
( ) M (•) F	O	5-04	130	[redacted]	( ) EM (•) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	Bailiff

Individual Force Used		Individual Category
Control Holds	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

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Involved Employee

E 9

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Roldan	Herlinda		DSG

Sex	Race	Height	Weight	Age	Shift	
○ M ◉ F	H	5-02	112	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	Bailiff

Individual Force Used		Individual Category
Control Holds	○ Directed ○ Rescue ○ Medical Assist	○ 1 ◉ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E10

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	H	6-00	210	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	Bailiff

Individual Force Used		Individual Category
Control Holds	○ Directed ○ Rescue ○ Medical Assist	○ 1 ◉ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E11

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Jimenez	Bryant		DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	H	5-10	170	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	Day Shift Lock- Up

Individual Force Used		Individual Category
Taser	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E12

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	O	5-10	185	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Clara Shortridge Foltz C.J.C.	New Bookings

Individual Force Used		Individual Category
Control Holds	○ Directed ○ Rescue ○ Medical Assist	○ 1 ◉ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex	Race	Height	Weight	Age	Shift	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)

Individual Force Used		Individual Category
	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 7 - 0 0 2 4 7 - 4 0 1 6 - 0 5 3

Suspect Information

S_1

Last Name	First Name	Middle Name	Armed? Select
Hill	James		Other

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
(●) Male ○ Female	B	32	5-05	140	07/19/84	[redacted]	[redacted]

Street Address:	City:	State & Zip Code:
[redacted]	[redacted]	[redacted]

Booking #: 4799366 Primary Charge Code: 245(C) PC Secondary Charge Code: [redacted] Criminal History

Treated on Scene? (●) YES ○ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☒ Rec'd Treatment At: USC Medical Center Coroner Case #: ______ Mental History ☒ User's guide provides direction on this entry

By: Dr. Erik Criman Address: 1200 North State St., Los Angeles Phone #: (323)226-2566

Under Influence: ○ YES (●) NO Substance: None 5150 a factor in force? (●) YES ○ NO User's guide provides direction on this entry

Date: 04/28/17 Time: 1332 ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select
			Not Armed

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐ User's guide provides direction on this entry

By: ______ Address: ______ Phone #: ______

Under Influence: ○ YES ○ NO Substance: ______ 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐ User's guide provides direction on this entry

By: ______ Address: ______ Phone #: ______

Under Influence: ○ YES ○ NO Substance: ______ 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

017 - 00247 - 4016 - 053

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Barragan	Fabiola	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Clara Shortridge Foltz C.J.C	Bailiff Supervisor	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Cooper	Timothy	C.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Clara Shortridge Foltz C.J.C	Bailiff Supervisor	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Westphal Jr.	Robert	L.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Clara Shortridge Foltz C.J.C	Operations Sergeant	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Tynan	Michael			Adult

Street Address	City	Zip Code	Phone #1	Phone #2
210 West Temple Street	Los Angeles	90012	2136287742	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
Wyatt	Misty		49	Adult

Street Address	City	Zip Code	Phone #1	Phone #2
210 West Temple Street	Los Angeles	90012	2136287742	

Last Name	First Name	Middle Name	Age	D.O.B.
Cho- Soares	Josephine		30	Adult

Street Address	City	Zip Code	Phone #1	Phone #2
210 West Temple Street	Los Angeles	90012	2136287742	

Last Name	First Name	Middle Name	Age	D.O.B.
Schirmeister	Lisa			Adult

Street Address	City	Zip Code	Phone #1	Phone #2
210 West Temple Street	Los Angeles	90012	2136287742	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]			Adult

Street Address	City	Zip Code	Phone #1	Phone #2
Los Angeles Police Department	Los Angeles	90012	3237865110	

Last Name	First Name	Middle Name	Age	D.O.B.
Murphy	Amy			Adult

Street Address	City	Zip Code	Phone #1	Phone #2
210 West Temple Street	Los Angeles	90012	2132572002	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
Newson	Neil			Adult

Street Address	City	Zip Code	Phone #1	Phone #2
9100 Wilshire Blvd., #220W	Beverly Hills	90212	3102787555	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
Spolin	Aaron		31	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
11500 W. Olympic Blvd., #400	Los Angeles	90064	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
Marks	Donald	B.	76	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
10100 Santa Monica Blvd., #300	Los Angeles	90067	3107222287	[redacted]

☒ Additional Witness

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Seng	Jana		32	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
320 W. Temple St.	Los Angeles	90012	2139746626	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		28	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]		

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Hill	S#1	Bernard	E#1	UC	NN	HD
Bernard	E#1	Hill	S#1	CT	NN	HD
Hill	S#1	Bernard	E#1	RS	NN	HD
Bernard	E#1	Hill	S#1	PO	NN	HD
Hill	S#1	Bernard	E#1	PH	NN	AD
Cabrera	E#2	Hill	S#1	PO	NN	AD
Hill	S#1	Cabrera	E#2	OO	LC	HE
Bernard	E#1	Hill	S#1	CT	NN	AR
Bernard	E#1	Hill	S#1	CT	NN	HE
Cabrera	E#2	Hill	S#1	PH	NN	CH
Hill	S#1	Cabrera	E#2	HR	NN	HD
[redacted]	E#4	Hill	S#1	OC	NN	FA
Hill	S#1	Bernard	E#1	HR	NN	HD
Phares	E#3	Hill	S#1	TT	NN	LE
Hill	S#1	Phares	E#3	RS	NN	HD
Phares	E#3	Hill	S#1	CT	NN	AR
Bernard	E#1	Hill	S#1	CT	NN	AD
Hill	S#1	Preston	E#5	RS	NN	HD
Preston	E#5	Hill	S#1	CT	NN	LE
[redacted]	E#6	Hill	S#1	CT	NN	AR
Hill	S#1	[redacted]	E#6	RS	NN	AD
[redacted]	E#6	Hill	S#1	OC	NN	FA
B. Rodriguez	E#7	Hill	S#1	CT	NN	SH
Kataoka	E#8	Hill	S#1	CT	NN	BK
Roldan	E#9	Hill	S#1	CT	NN	SH

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
[redacted]	E#10	Hill	S#1	CT	NN	AR
Jimenez	E#11	Hill	S#1	TR	PW	CH
Jimenez	E#11	Hill	S#1	TR	NN	LE
Bernard	E#1	Hill	S#1	RH	NN	HD
Preston	E#5	Hill	S#1	HB	NN	LE
[redacted]	E#12	Hill	S#1	CT	NN	LE

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

IAB FILE NUMBER: FO 2426716

INCIDENT: Use of Force- Suspect hospitalized for Pneumothorax to his right lung (collapsed lung).

URN#: 017-00247-4016-053

DATE/ TIME: April 27, 2017, Thursday, 1340 Hours

LOCATION: 210 West Temple Street, Los Angeles

On Friday, April 28, 2017, an Internal Affairs Bureau (IAB) team, comprised of Sergeant [redacted] and Sergeant [redacted] responded to Los Angeles County USC Medical Center, regarding a Category 3 Use of Force. Suspect Hill sustained a Pneumothorax to his right lung. He was admitted to Los Angeles County USC Medical Center where he was monitored for his injury.

IAB Note: A Pneumothorax is a collection of air or gas in the chest or pleural space that causes part or all of a lung to collapse.

SYNOPSIS:

The following narrative includes summarized statements as provided by all involved employees. Additional information and precise wording may be obtained by reviewing the audio recorded interviews and verbatim transcriptions submitted within this case.

On Thursday, April 27, 2017, Involved Employees Deputy Richard Phares, Deputy Miguel Cabrera (victim deputy), and Deputy Frank Bernard were assigned to work a preliminary hearing for a five defendant murder case. The case was to be heard in Department 42 of the Clara Shortridge Foltz Criminal Justice Center. Deputy Phares was the bailiff of record for Department 42. Deputy Phares was responsible for handcuffing defendants behind their backs, prior to allowing them into the courtroom. Deputy Cabrera and Deputy Bernard were assigned to Department 42 as extra security due to the nature of the case and the number of defendants involved.

IAB Note: Deputy Phares completed a Temporary Special Service Request Form (TSSR) for this case. A TSSR is a formal request to provide backup for any custody defendant trial or hearing, if necessary (CDM 3-04/015.00). On the form, he

requested three additional deputy personnel for backup and courtroom security **[EXHIBIT A]**.

Deputy Phares handcuffed Witness Defendant [redacted] and Suspect James Hill behind their backs, inside the Department 42 lockup area. He escorted Witness [redacted] and Suspect Hill through the lockup door and directed them toward Deputy Bernard and Deputy Cabrera, who were standing next to the chairs at the Defense table. Deputy Phares returned to the lockup area and began to handcuff the other two defendants.

Deputy Cabrera escorted Witness [redacted] to the chair he was assigned, near the Defense table. Witness [redacted] sat down. Witness [redacted] was still handcuffed. Deputy Cabrera unhandcuffed Witness [redacted] right hand and handcuffed his left hand to the chair. As Deputy Cabrera finished handcuffing Witness [redacted] to the chair, Suspect Hill was walking toward Deputy Bernard. Deputy Bernard directed Suspect Hill to sit down in the seat he was assigned. Suspect Hill complied. Suspect Hill was still handcuffed. Deputy Bernard directed Suspect Hill to lean forward in his chair, so he (Bernard) could undo one of the handcuffs and handcuff him (Hill) to the chair.

After Deputy Bernard unlocked the handcuff on Suspect Hill's left wrist, Suspect Hill stood up from his chair and turned toward him. With his left hand, Deputy Bernard held onto the handcuffs, which were still attached to Suspect Hill's right wrist. Deputy Bernard attempted to pull Suspect Hill back down toward the chair using the loose handcuff, but was not successful. At the same time, Deputy Bernard ordered Suspect Hill to sit back down. Suspect Hill then raised his left hand toward his left ear and swung his fist in the direction of Deputy Bernard's head. Deputy Bernard backed up to avoid Suspect Hill's strike and when doing so, lost control of the handcuffs. Suspect Hill took one step toward Deputy Bernard and attempted to punch him on his upper torso, with his (Hill's) left fist.

Deputy Cabrera saw Deputy Bernard attempt to grab Suspect Hill. Deputy Cabrera assisted Deputy Bernard with detaining Suspect Hill. Deputy Cabrera wrapped both his arms around Suspect Hill's upper torso. Suspect Hill struck Deputy Cabrera multiple times on his head with his (Hill's) right fist, which still had the handcuffs attached to it. Deputy Bernard attempted to control Suspect Hill's left hand with *his* left hand, but was unable to maintain control, as Suspect Hill continued to flail his arms around. Deputy Bernard also placed his right hand on the back of Suspect Hill's head and pushed down forcefully, in an attempt to stop Suspect Hill's fighting and flailing his arms. Deputy Bernard continued to give Suspect Hill commands to "Stop fighting," but Suspect Hill continued to be assaultive and ignored the commands. During this time, Deputy Bernard saw Deputy Cabrera was bleeding profusely from his head.

Deputy Cabrera fell to the ground and lost control of Suspect Hill. Suspect Hill attempted to run toward the east wall of the courtroom. Deputy Bernard grabbed the back of Suspect Hill's shirt and attempted to hold onto Suspect Hill's left hand. Due to Suspect Hill's resistance and continual flailing of his arms, Deputy Bernard lost control of him. Suspect Hill ran to the east wall of the courtroom. Cornered between the east

wall and the court clerk's desk, Suspect Hill raised both of his hands to his chin, taking a fighting stance. Deputy Bernard again gave Suspect Hill commands to "Stop fighting" and face the wall. Suspect Hill did not comply.

Suspect Hill then took one step toward Deputy Bernard. Deputy Bernard attempted to punch Suspect Hill one time on the left side of his face, with his right hand, but was unsuccessful. Los Angeles Police Department's investigating officer, Witness Sergeant [redacted] who was in the courtroom at the time, grabbed Suspect Hill's right arm and maintained control. Witness [redacted] told Deputy Bernard to gain control of Suspect Hill's left arm, which was still unsecure. Using his left hand, Deputy Bernard grabbed Suspect Hill's left wrist. Suspect Hill continued to flail his left arm in an upward and downward motion. Deputy Bernard told Suspect Hill to put his left hand behind his back, but Suspect Hill did not comply. At this time, Deputy Cabrera re- engaged in the fight and punched Suspect Hill one time on his chest. Deputy Bernard was then able to hold Suspect Hill's left hand behind his back.

Involved Employee Deputy [redacted] responded to the courtroom, after hearing radio traffic of a deputy involved fight. When he arrived, he saw Suspect Hill standing up. Suspect Hill was fighting with Deputy Cabrera and approximately two other deputy personnel. Deputy [redacted] saw Deputy Cabrera was bleeding profusely and Suspect Hill was not following any of the orders given to him by deputy personnel. Given Suspect Hill's combative behavior, along with his refusal to follow any orders given to him, Deputy [redacted] sprayed Suspect Hill in the face with his Oleoresin Capsicum spray. The Oleoresin Capsicum spray appeared to have no effect on Suspect Hill. Suspect Hill continued to fight with deputy personnel. Based on Suspect Hill's continued assaultive actions and refusal to be handcuffed, Deputy [redacted] sprayed Suspect Hill in the face a second time, with his Oleoresin Capsicum spray.

Deputy Phares, who was preparing the next two defendants to be brought out into the courtroom, heard loud banging noises coming from inside the courtroom. While placing the defendants back into their holding cells, he heard a loud crash. Deputy Phares immediately broadcasted emergency traffic over his handheld radio, requesting deputies to his courtroom regarding a disturbance. When Deputy Phares arrived inside the courtroom, he assisted Deputy Cabrera, Deputy Bernard and Involved Employee Deputy Christopher Preston, with taking Suspect Hill to the ground. Deputy Preston responded to the courtroom after hearing Deputy Phares' emergency radio traffic.

With the front of Suspect Hill's body facing the ground, Deputy Phares held onto Suspect Hill's left arm, while Deputy Bernard applied pressure to Suspect Hill's right side. Deputy Preston laid his body across Suspect Hill's legs, to try to keep him from kicking deputy personnel. Suspect Hill still refused to cooperate with the deputies, as he would not give up his right arm, which was underneath his body. Deputy personnel continued to order Suspect Hill to put his hands behind his back, but he did not comply.

Involved Employee Deputy [redacted] arrived and placed his left knee on Suspect Hill's right tricep, to prevent Suspect Hill from using his right arm. Suspect Hill began to

violently shake his body, attempting to shake deputy personnel off him. Based on Suspect Hill's actions, Deputy [redacted] deployed an approximate one second burst of his Oleoresin Capsicum spray, affecting Suspect Hill on his right cheek. Deputy personnel were still unable to gain control of Suspect Hill's right hand and Suspect Hill continued to shake his body. Deputy [redacted] deployed a second burst of his Oleoresin Capsicum spray, affecting Suspect Hill on his right temple.

Involved Employees Deputy Bryan Rodriguez, Deputy Allison Kataoka, Deputy Herlinda Roldan and Deputy [redacted] responded to the courtroom. When they arrived, they saw deputy personnel struggling to handcuff Suspect Hill as Suspect Hill continued to try to get up off the ground. Deputy B. Rodriguez knelt down next to Suspect Hill and pushed Suspect Hill's left shoulder to the ground, using both hands. Deputy Kataoka used her right hand to push down on the middle portion of Suspect Hill's back, while using her left hand to help hold Suspect Hill's left arm behind his back. Deputy Roldan placed her left knee on Suspect Hill's right shoulder, in order to restrain his movement. Deputy [redacted] used his left hand to hold Suspect Hill's left bicep and his right hand to hold onto Suspect Hill's left forearm.

Involved Employee Deputy Bryant Jimenez responded to the courtroom. After seeing a large amount of blood on Deputy Bernard's uniform, along with seeing Suspect Hill taken to ground and not knowing if Suspect Hill possessed a weapon, Deputy Jimenez unholstered his Taser. In an effort to gain Suspect Hill's compliance, and prevent him from further injuring deputy personnel or himself, Deputy Jimenez activated his Taser and saw both darts make contact on Suspect Hill's upper torso. The Taser had no effect on Suspect Hill, and deputy personnel were still unable to control and handcuff him. With the Taser cartridge still attached to the Taser, Deputy Jimenez placed the Taser directly against the calf of Suspect Hill's right leg. Deputy Jimenez then activated his Taser a second time.

Immediately following the second Taser activation, Suspect Hill stopped fighting and resisting deputy personnel. Deputy Bernard handcuffed Suspect Hill without further incident. Involved Employee Deputy [redacted] switched places with Deputy Preston and laid his body across Suspect Hill's legs, while Deputy Preston placed a hobble restraint device around Suspect Hill's ankles. Deputy Phares and two other deputies rolled Suspect Hill onto his left side and then sat him upright, in a seated position. Suspect Hill was conscious, breathing and responding to questions.

> **IAB Note:** Deputy Phares documented his observations and actions, in his first report. All other involved deputy personnel documented their observations and actions in their supplemental reports. All reports are submitted with this Investigative Summary, as **[EXHIBIT B]**.

Deputies Bernard, Bryan Rodriguez and Preston placed Suspect Hill in the Safety Chair without any additional force and under the direct supervision of Witness Sergeant Fabiola Barragan. Sergeant Barragan and Deputy Victor Rizo #[redacted] escorted

Suspect Hill to the service area of the court building, where they awaited the arrival of fire department personnel. For transportation purposes, Suspect Hill was removed from the Safety Chair by Deputies Rizo, Matthew Franklin #[redacted] and Christopher Lee #[redacted] Suspect Hill was subsequently waist- chained and placed on the gurney for transportation. He was transported without incident.

IAB Note: A "Safety Chair" is intended to be used for short term security, temporary control and transportation of an inmate who has been identified as violent, self- destructive, or a high security risk. The Safety Chair is considered to be a restraint device, per Title 15 section 1058 (CDM 7-03/04.00).

IAB Note: A "Safety Chair- Inmate Security Check log" was completed for Suspect Hill **[EXHIBIT C]**.

Sergeant Barragan saw minor bleeding on the left side of Suspect Hill's lip, abrasions on his left and right knees, and Taser prongs protruding from his right rib area. Sergeant Barragan documented her observations in a "Use of Force Medical Report" **[EXHIBIT D]**.

IAB Note: Post incident video footage of the scene, video of Suspect Hill's Safety Chair removal, pictures of Deputy Cabrera's injuries, pictures of Suspect Hill's injuries, Sergeant Barragan's videotaped interview of Witness [redacted] and IAB's videotaped interview of Suspect Hill are submitted with this Investigative Summary, as **[EXHIBIT E]**.

Los Angeles County Fire Department Paramedics responded and treated Suspect Hill at the courthouse. He was transported to Los Angeles County- USC Medical Center, via ambulance, where he was treated for an "acute pneumothorax." Suspect Hill's medical records are submitted with this Summary, as **[EXHIBIT F]**.

INVOLVED EMPLOYEE AND WORK HISTORY

Miguel Cabrera, Deputy Sheriff, [redacted] 
South Patrol Division
Pico Rivera Station

Work History

Date of Employment:	April 9, 2007
Date Assigned to Unit:	May 1, 2016
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	[redacted]

Equipment Worn On Person

Beretta 92F
Oleoresin Capsicum (OC) spray
Two magazines
Handcuffs
Expandable baton
Handheld radio

Frank Bernard, Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	September 6, 2012
Date Assigned to Unit:	January 20, 2013
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Beretta 92F
Oleoresin Capsicum (OC) spray
Two magazines
Handcuffs
Expandable baton
Handheld radio
Knife

Richard Phares, Deputy Sheriff, [redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	August 5, 1987
Date Assigned to Unit:	July 31, 2016
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) spray
Two magazines
Handcuffs

Handheld radio
Knife

[redacted] Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	September 13, 2006
Date Assigned to Unit:	March 19, 2017
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) spray
Handcuffs
Handheld radio

Christopher Preston, Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	March 19, 2012
Date Assigned to Unit:	March 19, 2017
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) spray
Handcuffs
Handheld radio

[redacted] Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	July 14, 2008
Date Assigned to Unit:	April 6, 2014



Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents:

Equipment Worn On Person

Oleoresin Capsicum (OC) spray
Handcuffs
Handheld radio

Bryan Rodriguez, Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment: January 29, 2009
Date Assigned to Unit: September 7, 2014
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents:

Equipment Worn On Person

None (Keys only)

Allison Kataoka, Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment: August 5, 2013
Date Assigned to Unit: October 4, 2015
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents:

Equipment Worn On Person

Smith and Wesson M&P
Oleoresin Capsicum (OC) spray
Two magazines
Handcuffs
Expandable baton
Handheld radio
Flashlight

Herlinda Roldan, Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	June 12, 2014
Date Assigned to Unit:	March 20, 2016
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) spray
Handcuffs
Handheld radio

[redacted] Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	May 24, 2006
Date Assigned to Unit:	June 1, 2014
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Beretta 92FS
Two magazines
Oleoresin Capsicum (OC) spray
Handcuffs
Expandable baton
Handheld radio

Bryant Jimenez, Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment:	October 14, 1999
Date Assigned to Unit:	October 31, 2010

Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents:

Equipment Worn On Person

Smith and Wesson M&P
Oleoresin Capsicum (OC) spray
Two magazines
Handcuffs
Expandable baton
Taser
Handheld radio

[redacted] Deputy Sheriff, #[redacted]
Court Services Division- Central
Clara Shortridge Foltz Criminal Justice Center

Work History

Date of Employment: August 10, 2005
Date Assigned to Unit: February 21, 2016
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents:

Equipment Worn On Person

Oleoresin Capsicum (OC) spray
Handcuffs
Handheld radio

SUSPECT INFORMATION

James Hill
Male, Black, DOB: July 19, 1984, 5'05", 140
[redacted]
CII #[redacted] MAIN #[redacted] FBI #[redacted]

The Consolidated Criminal History System revealed that Suspect Hill had [redacted]

IAB Note: A copy of Suspect Hill's criminal history is included in this case book, as **[EXHIBIT G]**.

SUSPECT'S INJURIES

Dr. Erik Criman, the treating physician, described Suspect Hill's injury as a Taser injury/ Pneumothorax. **[Page 29, of Subject Hill's medical records]**.

DEPUTY PERSONNEL INJURIES

Deputy Cabrera received a laceration to the top left portion of his head. The laceration to Deputy Cabrera's head required four staples. Printed photographs of Deputy Cabrera's injury are included in this case book, as **[MISCELLANEOUS DOCUMENTS]**.

PHYSICAL EVIDENCE

No physical evidence related to the force was collected by Internal Affairs Bureau investigators or court personnel.

INVESTIGATOR'S OBSERVATIONS

Due to the fact Internal Affairs Bureau investigators were advised of this incident the day after the occurrence, investigators did not respond to Department 42, on the day of the incident.

> **IAB Note:** Photographs of the scene were taken by Clara Shortridge Foltz Criminal Justice Center personnel. Printed photographs of the scene are included in this case book, as **[MISCELLANEOUS DOCUMENTS]**.

There was one camera mounted on the back wall of the courtroom. During his interview, Witness Judge Michael Tynan said he did not believe the camera was in operation on the day of this incident, which this investigator confirmed.

WEAPON USED BY DEPUTY PERSONNEL

Deputy Cabrera used his fist to punch Suspect Hill on his chest. Deputy [redacted] sprayed Suspect Hill with his Oleoresin Capsicum spray on two occasions. Deputies Cabrera, Phares, Bernard, and Preston conducted a team takedown of Suspect Hill. Deputy [redacted] sprayed Suspect Hill with his Oleoresin Capsicum spray on two occasions. Deputy Bryant Jimenez "Tased" Suspect Hill. There were no other weapons used.

WEAPON USED BY SUSPECT HILL

Suspect Hill used the single strand, jaw portion of the handcuffs to pierce Deputy Cabrera's head. He also resisted deputy personnel's efforts to handcuff him, using personal weapons.

PROPERTY DAMAGE BY SUSPECT HILL

There was no property damaged during this incident.

CRIMINAL INVESTIGATOR AND CHARGES FILED

Investigator: Jail Investigations Unit Detective – [redacted]

Court: Clara Shortridge Foltz Criminal Justice Center

Charges: 245(c) PC (2 counts)

IAB Note: On September 7, 2017, the Los Angeles District Attorney's Office filed the following charges against Suspect Hill: Two counts of 245(c) PC **[MISCELLANEOUS DOCUMENTS].**

LIGHTING AND WEATHER CONDITIONS

The incident occurred inside Department 42 of the Clara Shortridge Foltz Criminal Justice Center. There was ambient lighting from fluorescent lights, inside the location.

EMPLOYEE WITNESS STATEMENTS

On October 11, 2017, **Sergeant Fabiola Barragan,** was interviewed by Internal Affairs Bureau Sergeant [redacted] and Sergeant Steve Upton. The interview was conducted at the Clara Shortridge Foltz Criminal Justice Center. Following is a summary of her interview:

Sergeant Barragan was working as the bailiff sergeant on the day of the incident. While in the sergeant's office, on the ninth floor of the courthouse, she heard radio traffic regarding deputies involved in a fight, inside Department 42. Sergeant Barragan responded to the courtroom and was the first supervisor on scene. When she arrived, she saw Deputy Cabrera sitting down, with approximately three to four deputies tending to him. She saw Deputy Cabrera bleeding from his head. Sergeant Barragan's initial thought when she saw Deputy Cabrera was, "Oh God. This is bad."

Sergeant Barragan saw several deputies on the floor, next to the counsel table, yelling out commands to "Stop fighting" and "Stop resisting!" She also saw Defendant [redacted] seated at a table by himself, so she directed deputies to secure him. Sergeant Barragan asked deputies if Suspect Hill was handcuffed. As she walked over to where the deputies were struggling with Suspect Hill, she saw Suspect Hill kicking his legs and it appeared Suspect Hill was laying on his hands.

Sergeant Barragan saw Deputy Jimenez unholster his Taser and deploy it. She saw the two barbs of the Taser strike Suspect Hill in the rib area of his right side. The Taser was not effective and Suspect Hill continued to fight with deputies. Deputies continued

to give Suspect Hill commands to stop fighting. Sergeant Barragan then saw Deputy Jimenez move to Suspect Hill's lower body, where he (Jimenez) completed a contact shot with his Taser. Suspect Hill stopped struggling and the deputies were able to pull Suspect Hill's arms out, from beneath his upper torso. Suspect Hill was then handcuffed.

Sergeant Barragan directed the deputies to hobble Suspect Hill, to prevent him from further kicking deputy personnel. Once the hobble was secured, she directed the deputies to place Suspect Hill in a seated position, pending the arrival of a Safety Chair. Once Suspect Hill was secured in the Safety Chair, she assisted with escorting Suspect Hill to the service level of the courthouse. Suspect Hill was seen by Los Angeles City Fire Department personnel. Under Sergeant Barragan's supervision and direction, Suspect Hill was removed from the safety chair and waist chained so he could be transported to Los Angeles County- USC Medical Center, via ambulance.

Sergeant Timothy Cooper

On October 11, 2017, **Sergeant Timothy Cooper,** was interviewed by Internal Affairs Bureau Sergeant [redacted] and Sergeant Steve Upton. The interview was conducted at the Clara Shortridge Foltz Criminal Justice Center. Following is a summary of his interview:

Sergeant Cooper was working as a bailiff supervisor on the day of the incident. While in his office, Sergeant Cooper heard radio traffic and an "A- Phone" activation, notifying Sheriff's Department personnel of a deputy involved fight. Sergeant Cooper responded to the courtroom. When he arrived, he saw multiple deputies holding Suspect Hill down on the floor, awaiting the arrival of a Safety Chair. Upon the arrival of the Safety Chair, he saw deputies pick Suspect Hill up off the floor and secure him in the Safety Chair. When deputies picked Suspect Hill up off the floor, he saw Suspect Hill was handcuffed and had a Hobble restraint secured around his legs.

> **IAB Note:** The "A- phone" is a two- way communications link from the branch office to courtrooms, detention areas, and building tenants. The objective of the system is to dispatch and deploy court security personnel in a systematic preplanned manner in response to a security threat or alarm in the courthouse.

Suspect Hill was then escorted out of the courtroom. Sergeant Cooper remained inside the courtroom and began gathering information regarding the events which had taken place. He remembered there were deputies who had reported the force they had used to him, but could not remember who they were.

Sergeant Robert Westphal Jr.

On October 11, 2017, **Sergeant Robert Westphal Jr.,** was interviewed by Internal Affairs Bureau Sergeant [redacted] and Sergeant Steve Upton. The interview was conducted at the Clara Shortridge Foltz Criminal Justice Center. Following is a summary of his interview:

Sergeant Westphal was working as the operations sergeant on the day of the incident. While seated at his desk, he heard radio traffic regarding deputies involved in a fight. Sergeant Westphal responded to the courtroom. When he arrived, he saw Suspect Hill being placed onto a Safety Chair and Deputy Cabrera seated off to the side. He immediately saw Deputy Cabrera had a laceration on his head and had blood flowing down his face and all over his shirt. Sergeant Westphal waited with Deputy Cabrera until paramedics arrived to the courtroom and then escorted them down to the service level of the courthouse.

NON- EMPLOYEE WITNESS STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

Michael Tynan

On May 3, 2017, **Judge Michael Tynan,** was interviewed by Internal Affairs Bureau Sergeant [redacted] The interview was conducted in the judge's chamber of Department 42, inside the Clara Shortridge Foltz Criminal Justice Center. Following is a summary of his interview:

On the day of the incident, Witness Tynan was the judge in Department 42 of the Clara Shortridge Foltz Criminal Justice Center. Witness Tynan remembered hearing a commotion, as he was walking up the steps to his bench. He looked to his left and saw Suspect Hill running out of the area "inside the bar" and into the audience area of the courtroom. While running out of the attorney area of the courtroom, Suspect Hill brushed by a deputy who had a severe cut on his forehead. Witness Tynan saw another deputy (Deputy Bernard) following Suspect Hill.

> **IAB Note:** When Witness Tynan referred to the area "Inside the bar," he was referring to the area where the attorney's sit. The "bar" is the short wall which divides the audience area from the rest of the courtroom.

Witness Tynan saw a detective from LAPD (Witness [redacted], grab Suspect Hill in the middle of the audience area of the courtroom. Witness [redacted] held Suspect Hill until assisting deputies arrived. When assisting deputies arrived, they were able to push

Suspect Hill back into the attorney area of the courtroom. Once assisting deputies arrived, Witness Tynan remembered Witness [redacted] discontinuing his involvement.

The deputies were able to push Suspect Hill to the east wall of the courtroom. Once they arrived at the east wall, approximately six deputies were attempting to hold onto Suspect Hill while Suspect Hill was continuously kicking and swinging his fists. Witness Tynan saw one deputy punch Suspect Hill several times in the head, which did not seem to affect him. Witness Tynan never saw any deputies kick Suspect Hill, but rather saw deputies using their body weight to bear down on him. At one point, Witness Tynan remembered there being approximately eight to ten deputies involved. Witness Tynan said, "No matter what the police were doing to him (Suspect Tynan), it didn't seem to phase him. He (Suspect Hill) just kept coming on and swinging and swinging."

During this time, Witness Tynan remembered Judge Villar came into his courtroom and told him he needed to get out of there. Witness Tynan retreated to a vestibule behind the courtroom, where he waited until everything quieted down. After approximately five minutes, Witness Tynan walked back into the courtroom and saw deputies had Suspect Hill handcuffed. Deputy personnel placed Suspect Hill in a wheeled apparatus and secured his ankles and feet. Suspect Hill was then wheeled out of the courtroom. While he was being wheeled out, Witness Tynan saw a long stream of pink colored saliva coming from Suspect Hill's mouth. Witness Tynan saw no other visible injuries to Suspect Hill's person **[Pages 1- 2 of Witness Tynan's transcribed interview]**.

Witness Tynan has been a judge for thirty six years. Witness Tynan said the following regarding this incident, "This is as bad—this is as bad an incident I've—as I've ever seen. I mean, I haven't had too many, but this guy was just violent and—and he didn't—he didn't care what—didn't seem to me that he cared about what happened to him or anybody else, he was just gonna get out of it." **[Page 4 of Witness Tynan's transcribed interview]**.

Misty Wyatt

On May 3, 2017, **Court Reporter Misty Wyatt,** was interviewed by Internal Affairs Bureau Sergeant [redacted] The interview was conducted inside Department 42 of the Clara Shortridge Foltz Criminal Justice Center. Following is a summary of her interview:

On the day of the incident, Witness Wyatt was working as a court reporter in Department 42 of the Clara Shortridge Foltz Criminal Justice Center. Witness Wyatt remembered the court was preparing to begin a preliminary hearing, which involved multiple defendants. The first defendant had already been escorted out and seated at the defense table, without issue. When the second defendant (Suspect Hill) was being escorted into the courtroom, she heard a commotion. She looked up and saw Suspect Hill turn to his left, toward Deputy Cabrera who was standing closest to him (Suspect Hill). Suspect Hill then began to punch Deputy Cabrera on the left side of his head with his (Suspect Hill's) right hand. Suspect Hill's right hand still had a set of handcuffs

attached to it. Deputy Cabrera's head immediately began bleeding **[Pages 2- 3 of Witness Wyatt's transcribed interview]**.

Deputy Cabrera attempted to grab hold of Suspect Hill's arms. Suspect Hill pushed Deputy Cabrera backward, through a short security gate, into the audience area. The gate separates the audience from the area the judge and attorneys sit. Witness Wyatt saw Suspect Hill run toward the main exit of the courtroom, before he was stopped by approximately two other deputies. The two other deputies were able to push Suspect Hill back through the security gate, into the attorney area of the courtroom, while Suspect Hill continued to resist the deputies' actions.

While this was taking place, Witness Wyatt saw members of the audience getting up from their seats and moving toward the short wall that divided the audience area from the bench area, where the defense was seated. Shortly after, a couple more deputies arrived and began escorting the audience out of the courtroom **[Page 3 of Witness Wyatt's transcribed interview]**.

Suspect Hill continued to fight with the deputies after he was pushed back into the attorney/ bailiff area of the courtroom. Witness Wyatt yelled to Witness Josephine Cho-Soares to activate the "A- phone," since nobody was responding. The struggle with Suspect Hill then moved toward the clerk's door. Concerned the clerk's door was going to open, Witness Wyatt began yelling, "Get help, get help." Judge Villar from Department 41 came over and told Witness Tynan to "Get off the bench." Witness Lisa Schirmeister also came over and tried to get the clerk out of the courtroom. Witness Schirmeister then left the courtroom **[Page 5 of Witness Wyatt's transcribed interview]**.

During this time, the deputies and Suspect Hill were still on their feet, pushing each other back and forth against the wall next to the clerk's desk and the lockup door. After approximately two to three minutes, approximately five more deputies arrived. Shortly after the additional deputies arrived, they were able to get Suspect Hill to the ground. Witness Wyatt did not see how the deputies were able to take Suspect Hill to the ground **[Pages 5- 6 of Witness Wyatt's transcribed interview]**.

While on the ground, Suspect Hill continued wrestling with the deputies. At one point, Witness Wyatt heard a deputy say, "Stop fighting or you'll be Tased. Stop fighting." She remembered it was very loud inside the courtroom and then remembered everybody coughing. Witness Wyatt did not see the pepper spray, but did feel the effects of it. She did not hear or see the Taser activation. While on the ground, she never saw any deputies punch Suspect Hill. She described the deputies actions as, "One big pile of just trying to keep him calm and he would not stop." It was during this time, she remembered Suspect Hill calmed down and the deputies were able to gain control of him **[Pages 6- 7 of Witness Wyatt's transcribed interview]**.

IAB Note: Witness Wyatt also memorialized her account of what she witnessed on Thursday April 27, 2017, in a document she wrote in order to remind herself of the events that had taken place **[EXHIBIT H]**.

Josephine Cho-Soares

On May 3, 2017, **Court Clerk Josephine Cho-Soares,** was interviewed by Internal Affairs Bureau Sergeant [redacted] The interview was conducted inside Department 42 of the Clara Shortridge Foltz Criminal Justice Center. Following is a summary of her interview:

On the day of the incident, Witness Cho-Soares was working as a court reporter in Department 42 of the Clara Shortridge Foltz Criminal Justice Center. Witness Cho-Soares remembered the court was preparing to begin a preliminary hearing, when she heard a commotion. She turned to her right and saw Suspect Hill raise his right hand above his head. Suspect Hill's left hand had already been unhandcuffed, but his right hand still had the handcuff attached to it. Suspect Hill then repeatedly struck Deputy Cabrera on the top of his head with his (suspect's) right hand, in a flailing type manner. She immediately saw blood streaming down from Deputy Cabrera's head. Deputy Cabrera held onto Suspect Hill's body, while Suspect Hill continued to strike him **[Pages 2- 3 of Witness Cho-Soares' transcribed interview]**.

At some point, Witness Cho-Soares remembered a second deputy joining Deputy Cabrera in an attempt to gain control of Suspect Hill. She remembered both deputies pushed Suspect Hill toward the lockup door, which is directly next to the area she sits. The deputies then held Suspect Hill against the wall where the lockup door was. Suspect Hill continued to struggle with the deputies, as plaques and signs were falling off the wall **[Pages 3- 4 of Witness Cho-Soares' transcribed interview]**.

Witness Cho-Soares remembered Witness Wyatt screaming at her to activate the "A-phone," but Witness Cho-Soares froze. Witness Schirmeister came into Department 42 and after seeing what was going on, activated the "A-phone" in Department 41. More deputies responded. Judge Villar and Witness Schirmeister told her to get Witness Tynan off the bench and into the hallway, which she did. Once in the hallway, they closed the door and she did not see anything else that happened between the deputies and Suspect Hill.

Lisa Schirmeister

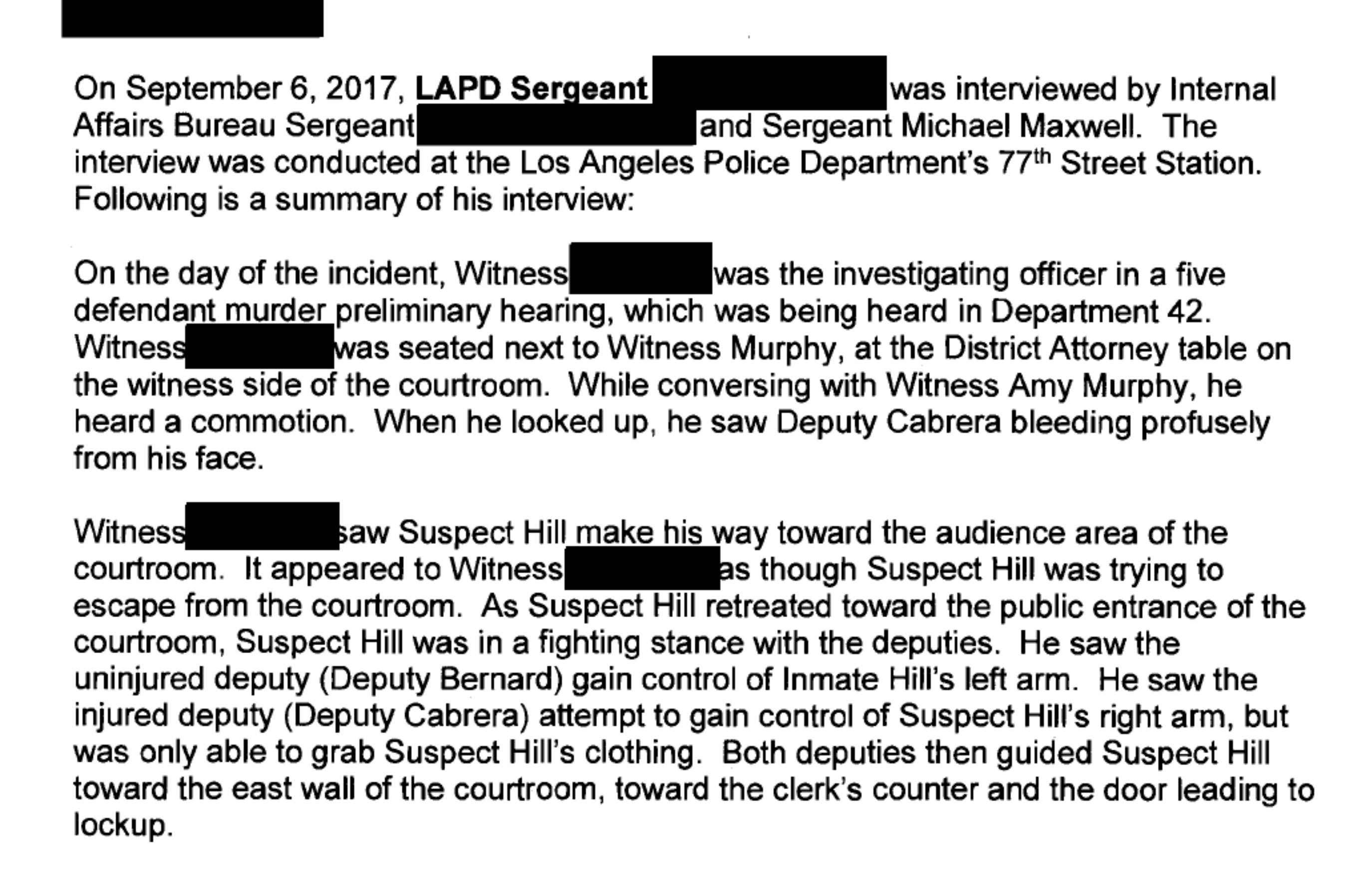
On May 3, 2017, **Court Reporter Lisa Schirmeister,** was interviewed by Internal Affairs Bureau Sergeant [redacted] The interview was conducted inside Department 42 of the Clara Shortridge Foltz Criminal Justice Center. Following is a summary of her interview:

On the day of the incident, Witness Schirmeister was working as a court reporter in Department 41 of the Clara Shortridge Foltz Criminal Justice Center. She remembered

hearing thumping noises against the wall which separated Department 41 and Department 42, which were not normal coming from inside a courtroom. The noises escalated and she could hear people making noises but could not discern what they were saying. She walked around the corner and into Department 42 to see what was happening **[Page 2 of Witness Schirmeister's transcribed interview]**.

When Witness Schirmeister arrived inside Department 42, she saw Suspect Hill on his feet, with three bailiffs around him. One of the bailiff's had blood dripping down his face and they were telling Suspect Hill to "Calm down. Put your hands behind your back." One of the bailiff's had their Taser out. When she saw audience members standing up and the situation escalating, she went back to Department 41 and activated the "A Phone." When she activated the "A Phone," a female's voice acknowledged her. She told the female, "Division 42's in trouble. You need to send people right now" **[Pages 2-3 of Witness Schirmeister's transcribed interview]**.

Witness Schirmeister went back to Department 42, with the Judge Villar. She remembered Judge Villar telling Department 42's clerk and Witness Tynan to leave the courtroom. At this time, Suspect Hill was on the floor, out of her view. Prior to leaving the courtroom a second time, she remembered a deputy exiting the judge's elevator and approximately seven to eight deputies entering into the courtroom through the public entrance doors **[Pages 3- 4 of Witness Schirmeister's transcribed interview]**.



[redacted]

On September 6, 2017, **LAPD Sergeant** [redacted] was interviewed by Internal Affairs Bureau Sergeant [redacted] and Sergeant Michael Maxwell. The interview was conducted at the Los Angeles Police Department's 77th Street Station. Following is a summary of his interview:

On the day of the incident, Witness [redacted] was the investigating officer in a five defendant murder preliminary hearing, which was being heard in Department 42. Witness [redacted] was seated next to Witness Murphy, at the District Attorney table on the witness side of the courtroom. While conversing with Witness Amy Murphy, he heard a commotion. When he looked up, he saw Deputy Cabrera bleeding profusely from his face.

Witness [redacted] saw Suspect Hill make his way toward the audience area of the courtroom. It appeared to Witness [redacted] as though Suspect Hill was trying to escape from the courtroom. As Suspect Hill retreated toward the public entrance of the courtroom, Suspect Hill was in a fighting stance with the deputies. He saw the uninjured deputy (Deputy Bernard) gain control of Inmate Hill's left arm. He saw the injured deputy (Deputy Cabrera) attempt to gain control of Suspect Hill's right arm, but was only able to grab Suspect Hill's clothing. Both deputies then guided Suspect Hill toward the east wall of the courtroom, toward the clerk's counter and the door leading to lockup.

During this time, Witness [redacted] grabbed Suspect Hill's right arm and assisted both deputies with escorting Suspect Hill toward the clerk's counter. Shortly after they arrived at the clerk's counter, approximately six to eight additional deputies arrived in the courtroom. It was at this time he relinquished control of Suspect Hill's right arm and allowed deputy personnel to take over. At this time, Witness [redacted] relinquished control of Suspect Hill's right arm. He remembered Suspect Hill still being on his feet. At some point, while walking away, he looked back and saw Suspect Hill was lying face down on his stomach, on the ground. He did not see how Suspect Hill was taken to the ground **[Pages 3, 4, 6 of Witness [redacted] transcribed interview]**.

Amy Murphy

On August 15, 2017, **District Attorney Amy Murphy,** was interviewed by Internal Affairs Bureau Sergeant [redacted] and Sergeant Michael Maxwell. The interview was conducted at the District Attorney's Office located at the Hall of Justice. Following is a summary of her interview:

On the day of the incident, Witness Murphy was the Deputy District Attorney assigned to a five defendant murder preliminary hearing, which was being heard in Department 42. Witness Murphy remembered the day of the incident was day three of the preliminary hearing.

When the incident occurred, Witness Murphy was seated next to Witness [redacted] at the District Attorney table on the witness side of the courtroom. While conversing with Witness [redacted] she heard a scuffle going on behind her. She turned around and saw Suspect Hill pushing and taking swings at Deputy Cabrera. She knew Suspect Hill had been successful in making contact, when she saw Victim Cabrera was bleeding.

Suspect Hill then ran into the audience area of the courtroom. She saw Witness [redacted] along with a deputy (Deputy Bernard), get ahold of Suspect Hill and push him back into the attorney area of the courtroom. At one point, she saw Deputy Cabrera involved with pushing Suspect Hill. Eventually, other deputies arrived and assisted with pushing Suspect Hill toward the east wall of the courtroom to the lockup door. Deputies gave Suspect Hill verbal commands the entire time, but Suspect Hill continued to resist. Other deputies arrived and assisted with clearing out the courtroom. The last time Witness Murphy saw Suspect Hill, he was still on his feet being restrained by deputy personnel.

Witness Murphy described Suspect Hill's demeanor when she said, "I could see that multiple deputies were trying to hold him back and that he, as small as he is, was still like fighting and he was strong, I mean, it was like, you know, that kind of crazy super-human strength that you hear about, you know, when people are on meth or whatever." **[Pages 2, 3, 6, 8 of Witness Murphy's transcribed interview]**.

Neil Newson

On October 31, 2017, **Defense Attorney Neil Newson,** was interviewed by Internal Affairs Bureau Sergeant [redacted] The interview was conducted over the telephone. Following is a summary of his interview:

On the day of the incident, Witness Newson was the Defense Attorney assigned to one of the five defendants involved in a murder preliminary hearing, being heard in Department 42. Witness Newson was seated at the Defense counsel table, as the defendants were being escorted into the courtroom. He saw Suspect Hill, who was handcuffed, being escorted out by a deputy. The deputy unhandcuffed Suspect Hill's left hand, while Suspect Hill faced the bench. As Suspect Hill was being seated, with his right hand ready to be handcuffed to a chair, Suspect Hill swung his body around and hit the deputy in the head with the free swinging end of the handcuff.

Witness Newson remembered Suspect Hill in the audience area of the courtroom, attempting to get out of the courtroom. Within seconds, another deputy (Deputy Bernard) came from his right and attempted to apprehend Suspect Hill. Witness Newson remembered approximately four to five deputies attempting to restrain Suspect Hill. At one point, Witness Newson saw Suspect Hill on the ground. He did not see how Suspect Hill was taken to the ground. While on the ground, Suspect Hill continued to fight with the deputies. Witness Newson never saw any deputies hit or punch Suspect Hill. Witness Newson said, "They were, literally, trying to hold the guy (Suspect Hill) down." At no time, did Witness Newson see Suspect Hill comply with deputies, until he was completely subdued.

Witness Newson remembered being escorted out of the courtroom, but believed it was after the struggle with Suspect Hill had stopped. Regarding the incident, Witness Newson said, "I think that your deputies acted with admirable restraint. I was proud to think of them as people out there, you know, protecting the public." **[Pages 4, 5, 6, 8, 13 of Witness Newson's transcribed interview]**.

Aaron Spolin

On April 27, 2017, **Defense Attorney Aaron Spolin,** was interviewed by Deputy Phares. The interview was conducted at the Clara Shortridge Foltz Criminal Justice Center. The interview was not digitally audio recorded. Following is a summary of his interview:

Witness Spolin was seated at the Defense counsel table. Suspect Hill was seated in a chair behind him. Suspect Hill suddenly stood up and rushed toward the deputies standing behind him. The deputies and Suspect Hill struggled through the courtroom, moving toward the clerk's desk. One of the deputies was bleeding from his head. Suspect Hill's lips were red, as if he had been bleeding. Suspect Hill was eventually taken to the ground and restrained **[EXHIBIT B, Page 7]**.

Donald Marks

On April 27, 2017, **Defense Attorney Donald Marks,** was interviewed by Deputy Phares. The interview was conducted at the Clara Shortridge Foltz Criminal Justice Center. The interview was not digitally audio recorded. Following is a summary of his interview:

Witness Marks was seated at the Defense counsel table, when he heard a commotion. He looked behind him and saw Suspect Hill swinging at a deputy. He saw another deputy join in the struggle. The struggle with Suspect Hill moved toward the clerk's desk. When enough deputies arrived, Suspect Hill was taken to the ground **[EXHIBIT B, Page 8]**.

Jana Seng

On April 27, 2017, Deputy Phares attempted to interview **Defense Attorney Jana Seng**, at the Clara Shortridge Foltz Criminal Justice Center. Witness Seng was a defense attorney assigned to one of the defendants in this preliminary hearing. Witness Seng told Deputy Phares that under legal advisement from her office, she would not be able to answer any questions about the incident. She did say, however, after hearing some of the other witnesses, she did not believe she would have anything different to add **[EXHIBIT B, Page 8]**.

[redacted]

On April 27, 2017, **Defendant** [redacted] was interviewed by Sergeant Barragan. The interview was conducted at the Clara Shortridge Foltz Criminal Justice Center. The interview was video recorded **[EXHIBIT E]**. During his interview, Defendant [redacted] told Sergeant Barragan he was present inside the courtroom and heard wrestling, but could not remember any details.

SUSPECT'S STATEMENTS

On April 28, 2017, **Suspect James Hill,** was interviewed by Internal Affairs Bureau Sergeant [redacted] and Sergeant [redacted] The interview was conducted in the Surgical Observation Unit (SOU) at Los Angeles County- USC Medical Center and was digitally audio recorded. Following is a summary of his interview:

Suspect Hill remembered going to the Criminal Courts Building (CCB), but could not remember what courtroom he was in. He remembered being placed inside a holding cell when he arrived at court, but could not remember being escorted into a courtroom. Suspect Hill realized he was inside a courtroom, when he was lying on the floor of the courtroom. He remembered being sprayed and Tased. Suspect Hill could not remember who sprayed or Tased him, nor could he remember what his actions were prior to being sprayed and Tased **[Pages 4- 5 of Suspect Hill's transcribed interview]**.

REVIEW OF EMERGENT RADIO TRAFFIC

There was no recorded radio traffic for this incident.

ADDITIONAL INFORMATION

On Tuesday, March 6, 2018, Suspect Hill pled "Not Guilty" to the assaults on the involved deputies.